

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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INDEPENDENT BANK,

Plaintiff-Appellant,

v

ALLISON STEIN IRREVOCABLE TRUST and  
ALLISON STEIN,

Defendants-Appellees.

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UNPUBLISHED  
October 20, 2011

No. 299492  
Oakland Circuit Court  
LC No. 2010-107922-CK

Before: FORT HOOD, P.J., AND HOEKSTRA AND METER, JJ.

HOEKSTRA, J. (*CONCURRING*).

Because according to its own terms, the assets of the Allison Stein Irrevocable Trust were distributed and the trust terminated before the commencement of this action, I conclude that plaintiff's reliance on provisions of the Michigan Trust Code, MCL 700.7101 *et. seq.*, to establish a basis for asserting jurisdiction over either of defendants in this case is unavailing. Consequently, I concur with the result of the majority that affirms the trial court's grant of summary disposition.

/s/ Joel P. Hoekstra